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Total Number of Pages in This Submission

3

Application Number

09/314,052

Filing Date

May 18, 1999

First Named Inventor

Douglas E. Ott, et al.

Art Unit

3763

Examiner Name

M. Thompson

Attorney Docket Number

1-15372

ENCLOSURES (Check all that apply)

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Remarks

Notice of Related Litigation as Required by MPEP Section 2001.06(c) & 37 CFR 1.56

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual nameMarshall & Melhorn, LLC
D. Edward Dolgorukov

Signature

Date

CERTIFICATE OF TRANSMISSION/MAILING

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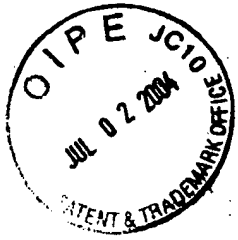
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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D. Edward Dolgorukov

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
DOUGLAS E. OTT, et al.)	Group Art Unit 3763
)	
Serial No. 09/314,052)	Examiner: M. Thompson
)	
Filed: May 18, 1999)	
)	Attorney Docket 1-15372
For: METHOD AND APPARATUS)	
FOR CONDITIONING GAS FOR)	Paper No. 29
MEDICAL PROCEDURES)	

June 30, 2004

NOTICE OF RELATED LITIGATION AS REQUIRED BY
M.P.E.P. § 2001.06 (c) and 37 C.F.R. 1.56

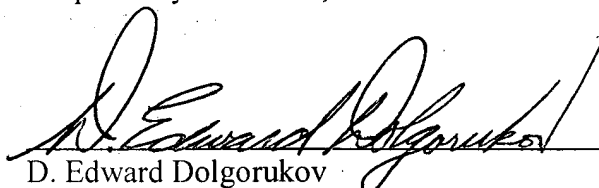
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Honorable Sir:

Applicants, in accordance with Section 2001.06(c) of the Manual of Patent Examining Procedure, hereby give notice of litigation related to this application. The present application is a continuation-in-part of application Serial No. 09/081,186, filed May 19, 1998, for Method and Apparatus for Conditioning Gas for Medical Procedures Having Humidity Monitoring and Recharge Alert, now United States Letters Patent No. 6,068,609. Applicant's Assignee has now charged at least one party with infringement of this patent, and has instituted litigation styled *Lexion Medical LLC v. Northgate Technologies, Inc. et al.*, Civil Action No. 1:04CV 0167, United States District Court for the Eastern District of Texas. Applicants will bring to the attention of the Office all

information, which may be material to the examination of the present application. To
date there has been no discovery which is material to the examination of the application.

Respectfully submitted,


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